

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

- F051334** **Evans v. Riggs Ambulance Service, Inc., et al.**
IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed as taken from a non-appealable order.
- F048999** **People v. Moore**
The judgment is affirmed. Ardaiz, P.J.
We concur: Gomes, J.; Hill, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F049196** **People v. Jaffray**
The judgment is affirmed. Kane, J.
We concur: Harris, Acting P.J.; Wiseman, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F050112** **People v. Moten, Jr.**
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.
- F050272** **People v. Luna**
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.
- F049433** **People v. Renteria**
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.
- F048935** **People v. Cardenas**
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE

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F046421 People v. Gino Ynclan

Pursuant to the order filed in the Supreme Court of the United States in the above-entitled action vacating the judgment and remanding the case to the Court of Appeal of California, Fifth Appellate District, for further consideration in light of *Cunningham v. California* 549 U.S. ____ (2007), the remittitur issued on March 7, 2006, is ordered recalled.

The Clerk of the Superior Court of Fresno County is directed to return said remittitur to this court forthwith.

Further, this court's judgment entered on December 14, 2005, is ordered vacated. The appeal is reinstated.

Based on the reinstatement of this appeal, counsel previously appointed will continue with the representation of appellant in this matter.

Parties are to refer to the "Order Regarding Supplemental Briefing" posted on this court's website on February 21, 2007, for further instructions.

F049092 People v. Joshua Thomas Rodriguez

Pursuant to the order filed in the Supreme Court of the United States in the above-entitled action vacating the judgment and remanding the case to the Court of Appeal of California, Fifth Appellate District, for further consideration in light of *Cunningham v. California* 549 U.S. ____ (2007), the remittitur issued on October 18, 2006, is ordered recalled.

The Clerk of the Superior Court of Fresno County is directed to return said remittitur to this court forthwith.

Further, this court's judgment entered on July 27, 2006, is ordered vacated. The appeal is reinstated.

Based on the reinstatement of this appeal, counsel previously appointed will continue with the representation of appellant in this matter.

Parties are to refer to the "Order Regarding Supplemental Briefing" posted on this court's website on February 21, 2007, for further instructions.

IN THE

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F046353 People v. Jose L. Barragan

Pursuant to the order filed in the Supreme Court of the United States in the above-entitled action vacating the judgment and remanding the case to the Court of Appeal of California, Fifth Appellate District, for further consideration in light of *Cunningham v. California* 549 U.S. ____ (2007), the remittitur issued on April 24, 2006, is ordered recalled.

The Clerk of the Superior Court of Fresno County is directed to return said remittitur to this court forthwith.

Further, this court's judgment entered on February 10, 2006, is ordered vacated. The appeal is reinstated.

Based on the reinstatement of this appeal, counsel previously appointed will continue with the representation of appellant in this matter.

Parties are to refer to the "Order Regarding Supplemental Briefing" posted on this court's website on February 21, 2007, for further instructions.

F048313 People v. Raul Juarez Duarte

Pursuant to the order filed in the Supreme Court of the United States in the above-entitled action vacating the judgment and remanding the case to the Court of Appeal of California, Fifth Appellate District, for further consideration in light of *Cunningham v. California* 549 U.S. ____ (2007), the remittitur issued on October 17, 2006, is ordered recalled.

The Clerk of the Superior Court of Fresno County is directed to return said remittitur to this court forthwith.

Further, this court's judgment entered on July 25, 2006, is ordered vacated. The appeal is reinstated.

Based on the reinstatement of this appeal, counsel previously appointed will continue with the representation of appellant in this matter.

Parties are to refer to the "Order Regarding Supplemental Briefing" posted on this court's website on February 21, 2007, for further instructions.

IN THE

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F047223 People v. Guy Gene Fuller

Pursuant to the order filed in the Supreme Court of the United States in the above-entitled action vacating the judgment and remanding the case to the Court of Appeal of California, Fifth Appellate District, for further consideration in light of *Cunningham v. California* 549 U.S. ____ (2007), the remittitur issued on May 23, 2006, is ordered recalled.

The Clerk of the Superior Court of Fresno County is directed to return said remittitur to this court forthwith.

Further, this court's judgment entered on March 7, 2006, is ordered vacated. The appeal is reinstated.

Based on the reinstatement of this appeal, counsel previously appointed will continue with the representation of appellant in this matter.

Parties are to refer to the "Order Regarding Supplemental Briefing" posted on this court's website on February 21, 2007, for further instructions.

F048333 People v. Doyle Lee LaFavor

Pursuant to the order filed in the Supreme Court of the United States in the above-entitled action vacating the judgment and remanding the case to the Court of Appeal of California, Fifth Appellate District, for further consideration in light of *Cunningham v. California* 549 U.S. ____ (2007), the remittitur issued on November 3, 2006, is ordered recalled.

The Clerk of the Superior Court of Fresno County is directed to return said remittitur to this court forthwith.

Further, this court's judgment entered on August 21, 2006, is ordered vacated. The appeal is reinstated.

Based on the reinstatement of this appeal, counsel previously appointed will continue with the representation of appellant in this matter.

Parties are to refer to the "Order Regarding Supplemental Briefing" posted on this court's website on February 21, 2007, for further instructions.

IN THE
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F044512 People v. John Borrego Parras

Pursuant to the order filed in the Supreme Court of the United States in the above-entitled action vacating the judgment and remanding the case to the Court of Appeal of California, Fifth Appellate District, for further consideration in light of *Cunningham v. California* 549 U.S. ____ (2007), the remittitur issued on July 27, 2005, is ordered recalled.

The Clerk of the Superior Court of Fresno County is directed to return said remittitur to this court forthwith.

Further, this court's judgment entered on April 26, 2005, is ordered vacated. The appeal is reinstated.

Based on the reinstatement of this appeal, counsel previously appointed will continue with the representation of appellant in this matter.

Parties are to refer to the "Order Regarding Supplemental Briefing" posted on this court's website on February 21, 2007 for further instructions.

F046661 People v. Anthony Lamont Williams

Pursuant to the order filed in the Supreme Court of the United States in the above-entitled action vacating the judgment and remanding the case to the Court of Appeal of California, Fifth Appellate District, for further consideration in light of *Cunningham v. California* 549 U.S. ____ (2007), the remittitur issued on June 20, 2006, is ordered recalled.

The Clerk of the Superior Court of Fresno County is directed to return said remittitur to this court forthwith.

Further, this court's judgment entered on April 4, 2006, is ordered vacated. The appeal is reinstated.

Based on the reinstatement of this appeal, counsel previously appointed will continue with the representation of appellant in this matter.

Parties are to refer to the "Order Regarding Supplemental Briefing" posted on this court's website on February 21, 2007, for further instructions.

IN THE

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F045583 People v. Curtis Allen

Pursuant to the order filed in the Supreme Court of the United States in the above-entitled action vacating the judgment and remanding the case to the Court of Appeal of California, Fifth Appellate District, for further consideration in light of *Cunningham v. California* 549 U.S. ____ (2007), the remittitur issued on February 7, 2006, is ordered recalled.

The Clerk of the Superior Court of Fresno County is directed to return said remittitur to this court forthwith.

Further, this court's judgment entered on November 8, 2005, is ordered vacated. The appeal is reinstated.

Based on the reinstatement of this appeal, counsel previously appointed will continue with the representation of appellant in this matter.

Parties are to refer to the "Order Regarding Supplemental Briefing" posted on this court's website on February 21, 2007 for further instructions.

IN THE

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F048567 People v. Jackie Ray Reed

Pursuant to the order filed in the Supreme Court of the United States in the above-entitled action vacating the judgment and remanding the case to the Court of Appeal of California, Fifth Appellate District, for further consideration in light of *Cunningham v. California* 549 U.S. ____ (2007), the remittitur issued on November 28, 2006, is ordered recalled.

The Clerk of the Superior Court of Fresno County is directed to return said remittitur to this court forthwith.

Further, this court's judgment entered on August 25, 2006, is ordered vacated. The appeal is reinstated.

Based on the reinstatement of this appeal, counsel previously appointed will continue with the representation of appellant in this matter.

Briefing" posted on this court's website on February 21, 2007 for further instructions.

F048570 People v. Mario Chavolla Perez

Pursuant to the order filed in the Supreme Court of the United States in the above-entitled action vacating the judgment and remanding the case to the Court of Appeal of California, Fifth Appellate District, for further consideration in light of *Cunningham v. California* 549 U.S. ____ (2007), the remittitur issued on June 26, 2006, is ordered recalled.

The Clerk of the Superior Court of Fresno County is directed to return said remittitur to this court forthwith.

Further, this court's judgment entered on March 28, 2006, is ordered vacated. The appeal is reinstated.

Based on the reinstatement of this appeal, counsel previously appointed will continue with the representation of appellant in this matter.

Parties are to refer to the "Order Regarding Supplemental Briefing" posted on this court's website on February 21, 2007 for further instructions.

IN THE

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F047240 People v. Gregg Theodore Videgain

Pursuant to the order filed in the Supreme Court of the United States in the above-entitled action vacating the judgment and remanding the case to the Court of Appeal of California, Fifth Appellate District, for further consideration in light of *Cunningham v. California* 549 U.S. ____ (2007), the remittitur issued on May 16, 2006, is ordered recalled. The Clerk of the Superior Court of Fresno County is directed to return said remittitur to this court forthwith.

Further, this court's judgment entered on March 7, 2006, is ordered vacated. The appeal is reinstated.

Based on the reinstatement of this appeal, counsel previously appointed will continue with the representation of appellant in this matter.

Parties are to refer to the "Order Regarding Supplemental Briefing" posted on this court's website on February 21, 2007 for further instructions.

F048660 People v. Libra Salinas, Jr.

Pursuant to the order filed in the Supreme Court of the United States in the above-entitled action vacating the judgment and remanding the case to the Court of Appeal of California, Fifth Appellate District, for further consideration in light of *Cunningham v. California* 549 U.S. ____ (2007), the remittitur issued on November 3, 2006, is ordered recalled. The Clerk of the Superior Court of Fresno County is directed to return said remittitur to this court forthwith.

Further, this court's judgment entered on August 22, 2006, is ordered vacated. The appeal is reinstated.

Based on the reinstatement of this appeal, counsel previously appointed will continue with the representation of appellant in this matter.

Parties are to refer to the "Order Regarding Supplemental Briefing" posted on this court's website on February 21, 2007 for further instructions.

F049381 People v. Reyna

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

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F049381 People v. Reyna

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F051881 Robert B. v. The Superior Court of Merced County;
Merced County Human Services**

The petition for extraordinary writ is denied. This opinion is final as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F048523 Kophamer Farms, Inc. et al. v. Plantenga et al.

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F050233 Kophamer Farms, Inc. et al. v. Plantenga et al.

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.